

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Robert E. Blackburn**

Date: June 25, 2019
Deputy Clerk: Leigh Roberson
Court Reporter: Tracy Weir

Criminal Action No. 18-cr-415-REB-JMC

Counsel:

UNITED STATES OF AMERICA,

Plaintiff,

Jeffrey Graves
Josh Player

v.

WAMBLI MILLS,

Defendant.

Thomas Williamson

COURTROOM MINUTES

Motions Hearing

10:36 a.m. Court in session.

Appearances of counsel. Defendant is present in custody.

Opening statements by the Court.

Before the Court for hearing are the following:

- Defendant's Motion for Order that: (1) Defendant May Wear Street Clothing at Trial and (2) That the United States Marshals be Required to Use Discreet Security Devices at Trial [ECF 51], filed June 10, 2019;
- Defendant's Motion to Suppress Evidence Derived from a Warrantless Arrest [ECF 36], filed May 27, 2019; and
- Defendant's Motion to Suppress Evidence Derived from a Warrantless Search [ECF 46], filed June 2, 2019.

The Court raises Defendant's Motion for Order that: (1) Defendant May Wear Street Clothing at Trial and (2) That the United States Marshals be Required to Use Discreet Security Devices at Trial [ECF 51] for argument.

Argument.

ORDERED: Defendant's Motion for Order that: (1) Defendant May Wear Street Clothing at Trial and (2) That the United States Marshals be Required to Use Discreet Security Devices at Trial [ECF 51] is granted, as stated on the record.

The Court raises Defendant's Motion to Suppress Evidence Derived from a Warrantless Arrest [ECF 36] and Defendant's Motion to Suppress Evidence Derived from a Warrantless Search [ECF 46] for argument.

ORDERED: Under Rule 615, all persons who may testify during the suppression hearing shall now leave the courtroom, remain outside the courtroom, and shall not discuss prospective testimony with anyone other than legal counsel pending further order of the Court.

The Court dispenses with opening statements.

The Court approves the stipulation of the parties that both the arrest and search at issue were accomplished without the benefit of an antecedent warrant issued by a United States Magistrate Judge or other judicial officer.

Government begins.

10:44 a.m. Government's witness Special Agent Anthony Garcia, Bureau of Indian Affairs, called and sworn.

Direct examination of Special Agent Garcia by Mr. Graves.

Government's Exhibits 1, 2, 3, 4, 5, 6, 7, and 8 admitted in evidence.

Cross-examination of Special Agent Garcia by Mr. Williamson.

Defendant's Exhibits 2, 3, and 4 admitted in evidence.

11:59 a.m. Court in recess.

1:05 p.m. Court in session.

Continued cross-examination of Special Agent Garcia by Mr. Williamson.

Defendant's Exhibit 7 admitted in evidence.

Redirect examination of Special Agent Garcia by Mr. Graves.

Special Agent Garcia excused and released from subpoena.

1:19 p.m. Government's witness Special Agent Lyle Benally, Bureau of Indian Affairs, called and sworn.

Direct examination of Special Agent Benally by Mr. Player.

Government's Exhibit 9 admitted in evidence over objection.

Cross-examination of Special Agent Benally by Mr. Williamson.

Redirect examination of Special Agent Benally by Mr. Player.

Special Agent Benally excused and released from subpoena.

Government rests.

Defendant rests.

Closing argument for the government by Mr. Graves and Mr. Player.

Closing argument for the defendant by Mr. Williamson.

ORDERED: Defendant's Motion to Suppress Evidence Derived from a Warrantless Arrest [ECF 36] and Defendant's Motion to Suppress Evidence Derived from a Warrantless Search [ECF 46] are taken under advisement. The Court's ruling shall issue via separate written order.

Court responds to counsel's questions regarding jury selection and trial protocol.

ORDERED: Defense counsel's investigator shall be permitted to be seated at counsel table during trial.

2:20 p.m. Court in recess.

Total time in court: 2:38

Hearing concluded. Defendant remanded.